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RADIOMAIL CORPORATION

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

May 26, 1993

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FCC MAIL ROOM

Ms. Donna R. Searcy
Secretary, Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554
Re: Reply Comments in CC Docket 92-76

Dear Ms. Searcy:

RadioMail Corporation hereby submits this reply to the comments filed on April 26, 1993 in the above-referenced docket. RadioMail Corporation appreciates the opportunity to comment on the Commission's Notice of Proposed Rulemaking 1 as well as to reply to the April 26 comments filed by other parties to the proceeding and welcomes the Commission's efforts to promptly introduce the services promised by the Non-Voice, Non-Geostationary Mobile Satellite ("NVNG MSS").

On February 10, 1993, the FCC issued its Notice of Proposed Rulemaking in CC Docket 92-76. Seven parties filed comments endorsing the implementation of rules for the NVNG MSS in response to the Notice. Although RadioMail Corporation supports these comments and endorses the Commission's efforts, RadioMail Corporation has submitted this letter to urge the Commission to adopt rules for the NVNG MSS that will promote competition and ensure that multiple entry will exist in practice.

RadioMail Corporation is a Electronic Mail Service Company located in California. RadioMail Corporation is a leader in the wireless industry and provides electronic mail and other information to individuals over the entire United States.

As is common for companies in this industry, RadioMail Corporation depends heavily on advanced communications services to meet the needs of RadioMail Corporation's customers.

RadioMail Corporation welcomes the introduction of this new technology and the exciting services that are envisioned by the Commission and the other parties to this proceeding. RadioMail anticipates that NVNG MSS will provide communications users such as us with a wealth of new services and offerings that are not presently provided by existing communications technology. RadioMail Corporation is looking forward to becoming a user of NVNG MSS services and supports the Commission's efforts to quickly establish rules for licensing service providers and encourage the introduction of service in the next few years.

RadioMail has a broad need for seamless and wireless connectivity to all parts of the United States and for that matter into all reaches of the world. Since we are, in effect, a wireless delivery service for mobile individuals, we have a immediate and long range need to provide connectivity to every place people go with their computers and other intelligent communicating devices.

Notwithstanding RadioMail Corporation's enthusiasm for this new service, RadioMail strongly endorses the comment of Orbital Communications Corporation ("Orbcomm") and dbX Corporation ("dbX") that any rules for implementation of the

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NVNG MSS should be designed to promote multiple entry and competition. From the perspective of a potential user of these services, multiple entry and competition are particularly critical. Multiple service providers will help to ensure three important goals of users are met by the introduction of NVNG MSS service: price competition, ongoing technological and service innovation and flexibility on the part of service providers.

The impact that multiple service providers will have on price competition is self evident. As is apparent in the cable and cellular industries, FCC sanctioned monopolies or duopolies have limited or minimized price competition. In addition to promoting price competition, licensing multiple entrants will encourage the service providers to engage in ongoing efforts to improve their technology and introduce service innovations in order to distinguish one provider's offerings from another's. Finally, competition in the marketplace and multiple service offerings will encourage service providers to be flexible and to customize service and networks to accommodate the needs of specific customers.

In order to promote these policy objectives, however, the Commission must address the issue of how multiple entry will be promoted in practice in order to safeguard competition. RadioMail Corporation has reviewed the docket in this proceeding and remains extremely concerned that although the Commission's proposed rules support multiple entry in theory, the final rules must incorporate specific protections to ensure that multiple entry is sustained in practice.

In that regard, RadioMail Corporation supports dbX's position that the Commission must draft rules specifically designed to ensure multiple entry. RadioMail Corporation endorses the dbX suggestion that initial frequency assignments for the NVNG MSS licensees be limited to a minimum amount of frequency necessary to establish a viable system. As system demonstrate increasing traffic fill, additional spectrum should be made available to the appropriate service provider. This incremental approach to frequency assignment will ensure that the maximum number of systems will have access to a part of the spectrum allocated for this new service. Moreover, limitations on frequency assignments will help to guard against warehousing or other attempts by the first licensees to discourage new entrants. As dbX proposes these limitations on frequency should be coupled with an affirmative obligation on the part of any existing licensees to coordinate with new entrants. As with the frequency rules, this type of requirement will discourage attempts to block new entrants. Rules based on these concepts will help to ensure competition which will ultimately benefit all consumers using these services.

In conclusion, RadioMail Corporation reiterates its position that the FCC must structure the rules for this service to promote multiple entry. By promoting competition, the Commission will ensure that the needs of users of the NVNG MSS are addressed and thereby promote the widespread acceptance of this new service.

Respectfully submitted,



Geoffrey Goodfellow
Chairman,
RadioMail Corporation

cc: Thomas S. Tycz
Cecily C. Holiday
Kristi Kendall
Fern J. Jarmulnek